

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

PARTS iD, LLC, a New Jersey limited liability company,

Plaintiff,

v.

IDPARTS LLC, a Massachusetts limited liability company,

Defendant.

Civil Action No. 20-cv-11253-RWZ

IDPARTS, LLC

Counterclaim Plaintiff,

v.

PARTS iD, LLC and PARTS iD, INC.

Counterclaim Defendants

JOINT STIPULATED MOTON FOR AN EXTENSION OF TIME

Plaintiff/Counterclaim Defendant PARTS iD, LLC and Defendant/Counterclaim Plaintiff IDParts LLC jointly agree and stipulate to the extensions of certain deadlines to permit the parties to complete party depositions in advance of expert disclosure deadlines. In view of the upcoming expert disclosure deadlines, the parties jointly request that the Court modify the schedule through and including the following dates:

| <u>Event</u> | <u>Current Date</u> | <u>Proposed Date</u> |
|---|----------------------------------|---|
| The party with the burden of proof on any claim or defense shall disclose affirmative expert reports or statements compliant with F.R.C.P. 26(a)(2) | September 24, 2021 | November 5, 2021 |
| A party seeking to rebut an expert designated by another party shall disclose rebuttal expert reports compliant with F.R.C.P. 26(a)(2) | October 25, 2021 | January 6, 2022 |
| Parties to meet and confer regarding scheduling of expert depositions | November 3, 2021 | January 20, 2022 |
| Reply expert reports | November 24, 2021 | February 10, 2022 |
| Completion of Discovery Deadline | December 14, 2021 | February 24, 2022 |
| Dispositive Motion and <i>Daubert</i> Motion Deadline | December 14, 2021 | February 24, 2022 |
| Response ¹ | January 6, 2022 | March 17, 2022 |
| Reply | January 18, 2022 | March 28, 2022 |
| Final Pretrial Conference | January 27, 2022 | April 4, 2022 or at the Court's convenience |
| Trial Date and Length | TBA at Final Pretrial Conference | TBA at Final Pretrial Conference |

The Joint Report on Proposed Scheduling Order (“Scheduling Order”) was filed on January 26, 2021. (Dkt. 30). On May 7, 2021, the Court granted the Parties’ Joint Stipulated Motion for Extension of Time to Disclose Expert Reports (“Joint Stipulation”). (Dkt. 62). On August 5, 2021, the Court granted the Parties’ Joint Motion for Modification to Schedule adjusting expert discovery in view of the unsuccessful settlement negotiations. (Dkt. 67). Since the Court’s previous extension, the parties have engaged in discovery efforts, but have not completed the fact depositions needed to support expert disclosures. It was agreed that the

¹ Should a party file a dispositive motion after the early motion deadline that has already passed, but prior to this February 24, 2022 deadline, the Court’s Local Rules shall dictate the deadlines for responses and a reply, if any.

parties should extend the deadline for opening expert reports until approximately two weeks after the anticipated completion of depositions of the parties' witnesses. The parties have further agreed that given the nature of the expert reports that are expected in this matter, additional time might be needed for rebuttal reports as well. This request is for good cause and not intended to prejudice or to otherwise delay the proceedings and deadlines in this case.

The parties therefore respectfully request that the Court enter the proposed order lodged herewith extending all scheduling deadlines.

Dated: September 24, 2021

/s/ Aaron P. Bradford

Aaron P. Bradford, *Pro Hac Vice*
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Respectfully submitted,

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Counsel for IDParts LLC

CERTIFICATE OF SERVICE

I hereby certify that on September 24, 2021 a true and correct copy of the foregoing
**SECOND JOINT STIPULATED MOTION FOR AN EXTENSION OF TIME TO
DISCLOSE AFFIRMATIVE EXPERT REPORTS** was served via email on the following:

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/s/ Vonda Westlake

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